

PUBLIC CHAPTER NO. 869

HOUSE BILL NO. 3233

By Representatives Shepard, Bass, Jim Cobb, Dean

Substituted for: Senate Bill No. 3382

By Senators Jackson, Marrero, Lowe Finney

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 55, relative to certain offenses involving motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-132, is amended by adding the following new subsection (g):

(g)

(1) A person violating this section may also be prosecuted and convicted for the offense of:

(A) The Class E felony of criminally negligent homicide under § 39-13-212, if the conduct giving rise to the violation of this section is criminally negligent, as defined in § 39-11-302(d), and results in the death of another;

(B) The Class D felony of reckless homicide under § 39-13-215, if the conduct giving rise to the violation of this section is reckless, as defined in § 39-11-302(c), and results in the killing of another; and

(C) The Class C felony of vehicular homicide under § 39-13-213, if the conduct giving rise to the violation of this section is reckless, as defined in § 39-11-302(c), proximately results in the killing of another and such conduct created a substantial risk of death to another.

(2) Nothing in this subsection (g) shall be construed as precluding a person who violates this section from being prosecuted and convicted under any other applicable offense.

SECTION 2. Tennessee Code Annotated, Section 55-8-132, is amended by deleting subsection (e) and substituting instead the following:

(e)


(1) The first violation of this section is a Class B misdemeanor punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or imprisonment not greater than thirty (30) days, or both.

(2) A second violation of this section is a Class B misdemeanor punishable by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000).

(3) A third or subsequent violation of this section is a Class A misdemeanor punishable by a fine of not less than one thousand dollars (\$1,000).

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.

PASSED: April 21, 2008


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 6th day of May 2008


PHIL BREDESEN, GOVERNOR